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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/813,803	03/22/2001	Taro Mori	205089US2	3070
22850	7590	08/24/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314			VUONG, BACH Q	
		ART UNIT		PAPER NUMBER
		2653		7
DATE MAILED: 08/24/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/813,803	MORI, TARO
	Examiner Bach Q Vuong	Art Unit 2653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 01 June 2004.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) 5 and 12-20 is/are allowed.
- 6) Claim(s) 1,6 and 8 is/are rejected.
- 7) Claim(s) 2-4,7,9-11 is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|  | 6) <input type="checkbox"/> Other: _____                                    |

This communication is responsive to an amendment filed on 06/01/2004

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 6 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Huang et al. (US 6,272,153).

Huang et al., according to Figs. 1-5, shows an optical recording apparatus comprising all features of the claimed invention as interpreted below:

Regarding claim 1, see Figs. 1-5 which show a compressed audio data reproduction apparatus comprising: a plurality of decoders (see Audio decoders 510, 512 in Fig. 5) configured to decode compressed audio data of respective exclusive compression forms; a compression form identifying portion (see synchronization controller 50 in Fig. 5) configured to identify the compression form based on header information of the compressed audio data; and a selector (see Bitstreamer 506 in Fig. 5) configured to select the decoders corresponding to the compression form identified by the compression form identifying portion from the plurality of decoders.

Regarding claim 6, see Figs. 1-5 which show a compressed audio data reproduction apparatus further comprising: a compressed data reading portion (see device 102 in Fig. 1) configured to read the compressed audio data from a recording medium in which the

compressed audio data is recorded; and a D/A converter (see D/A CONV 236 in Figs. 2) configured to convert the data decoded by the decoders selected by the selector to an analog signal, the plurality of decoders (see Audio decoders 510, 512 in Fig. 5), the compression form identifying portion, the selector (see Bitstreamer 506 in Fig. 5), and reading portion (102), and the D/A converter (see D/A CONV 236) being contained in the same housing.

Regarding claim 8, see Figs. 1-5 which show a compressed audio data reproduction method for decoding and reproducing compressed audio data of a plurality of compression forms with decoders exclusive for the respective compression forms, the compressed audio data reproducing method comprising steps: identifying the compression form based on header information of the compressed audio data; and selecting the decoders corresponding to the identified compression form (see switch 211, decoders 212-214 in Figs. 2).

#### *Allowable Subject Matter*

Claims 2-4, 7 and 9-11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 2- 4, 7 and 9-11 are allowable.

Claims 5, 12, 13-17 and 18-20 are allowed.

#### *Response To Arguments*

Applicant's arguments with respect to claimed invention have been considered but are moot in view of the new ground(s) of rejection.

***Cited References***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The cited references relate to an audio signal decoding apparatus and method for reproducing digital audio data.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bach Q Vuong whose telephone number is (703) 305-7355. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (703) 305-6137. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

BV  
August 18, 2004



THANH V. TRAN  
PRIMARY EXAMINER